

SIKKIM



GOVERNMENT

GAZETTE

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**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

No.1/LD/17

Dated: 19 April, 2017

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received assent of the Governor on 22nd day of March, 2017 is hereby published for general information :-

THE SIKKIM UNIVERSITY (AMENDMENT) ACT, 2017

(ACT NO. 1 OF 2017)

AN

ACT

to amend the Sikkim University Act, 2003.

Be it enacted by the Legislature of Sikkim on the Sixty-eighth Year of the Republic of India as follows:-

Short title and Commencement

1. (1) This Act may be called the Sikkim University (Amendment) Act, 2017.

(2) This section shall come into force at once, and the remaining provisions of this Act shall come into force on such date or dates as the State Government may, by notification, appoint, and different dates may be appointed for different provisions of this Act.

Substitution of reference to certain expressions by certain other expression

2. In the Sikkim University Act, 2003 (hereinafter referred to as the principal Act), throughout the principal Act, unless otherwise expressly provided, for the words "The Sikkim University Act" wherever they occur, the words "The Sikkim State University Act" shall be substituted.

Amendment of section 3

3. In the principal Act in section 3 in sub- subsection (2), for the words "such place within Sikkim as the State Govt. may, by notification, specify" the words "Sikkim Government College (SGC) Tadong" shall be substituted.

Amendment of section 5

4. In the principal Act, in section 5,
 - (i) in sub-section (1) after the words "management" and before the words "and in such other branches" the word "theology", shall be inserted.
 - (ii) in sub-section (15), for the words "to create", the words "to recommend" shall be substituted.
 - (iii) in sub-section (17), after the word "University", the words "with the concurrence of the State Government" shall be inserted.
 - (iv) sub-section (28) shall be omitted.

Amendment of section 6

5. In the principal Act, in section 6, in sub-section (2) for the word "Colleges", the words "Government Colleges" shall be substituted.

Amendment of section 11

6. In the principal Act, in section 11 sub-section (4) shall be omitted.

Amendment of section 22

7. In the principal Act, in section 22 , -
 - (i) in sub-section (2), after the words "term of five years" the words "or till he attains the age of 65 years, whichever is earlier" shall be inserted.
 - (ii) in sub-section (7), -
 - (i) after the words "the University" and before the words "shall appoint" the words "with the approval of the State Government" shall be inserted.
 - (ii) the words "first Director of Colleges" shall be omitted.

THE SCHEDULE

Amendment of the clause 2

In the principal Act, in the schedule, -

1. in clause 2 :-
 - (1) For the item (g) of sub-clause (1) and the entries relating thereto, the following shall be substituted, namely, - "(g) three principals from Government Colleges on rotation basis."
 - (2) After item (n), the following items shall be inserted, namely, -
 - "(o) one Principal from Private College;
 - (p) one Principal from Professional College."

Amendment of clause 3

2. in sub-clause (1) of clause 3, after item (e) the following item shall be inserted, namely:-
 - "(f) Director/Higher Education."

Amendment of clause 6

3. for existing clause 6 and the entries relating thereto, the following shall be substituted, namely:-

"(6) Appointment of Teaching and Non-Teaching Staff – Appointment of Teaching and Non-Teaching staff shall be done by the State Government as per the existing rules."

Amendment of clause 8

4. for sub-clause (1) of clause 8 and the entries relating thereto, the following shall be substituted, namely:-

"1 (i) The Vice – Chancellor should be person of the highest level of competence, integrity, morals and institutional commitment. The Vice – Chancellor to be appointed should be a distinguished academician, preferably with a minimum of ten years of experience as Professor in a University system or ten years of experience in a position equivalent to Professor in a reputed research and academic organization.

(ii) The Vice – Chancellor shall be appointed by the Chancellor in consultation with the State Government through selection process as prescribed by University Grants Commission (UGC).

(iii) The selection of Vice – Chancellor should be through proper identification of a panel of 3 – 5 names by a Search Committee through a public Notification or a talent search process or in combination. The members of above Search Committee shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University concerned or its colleges. While preparing the panel, the search committee must give proper weightage to academic excellence, research work, exposure and contribution to the higher education system in the country and abroad and adequate experience in academic and administrative governance to be given in writing along with the panel to be submitted to the Visitor/Chancellor. The following shall be the constitution of the Search Committee.

- a. A nominee of the Visitor/Chancellor, who should be the Chairperson of the Committee.
- b. A nominee of the Chairman, University Grants Commission.
- c. A nominee of the University Court."

Amendment of clause 12

5. in clause 12,-

(1) in sub-clause (1), for the words "on the recommendation of the Selection Committee to be constituted for the purpose", the words "by the State Government" shall be substituted.

(2) in sub-clause (2), for the words "for a term of five years and shall be eligible for re-appointment only if no suitable candidate is available or till he attains

the age of sixty years, whichever is earlier" the words " for the time period as prescribed by the State Government" shall be substituted.

- (3) in sub-clause (3), for the words "as may be prescribed", the words "governed by the existing State Financial Rules" shall be substituted.

Amendment of clause 13

6. Clause 13 shall be omitted.

Amendment of clause 25

7. In clause 25 for the words "such as may be decided by the University" the words "words shall be governed vide Not. No. 70/Per/117/05 dated 22.07.2006 and guidelines issued vide Circular No. 166/PG/PF dated 22.07.2006" shall be substituted.

Amendment of clause 27

8. After clause 26 in the schedule, the following new clause shall be inserted, namely:-

"27. Supervisory Power of State Government"

Human Resource Development Department, Government of Sikkim shall designate an officer not below the rank of Director to coordinate, inspect and monitor the functioning of the University as and when required.

**Jagat B. Rai (SSJS)
L.R-cum-Secretary,
Law Department.**